IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	**Case No. 10-0351-02-CR-W-GAF**
	)	
MICHAEL H. CARTER,	)	
	)	
Defendant.	)	

ORDER

Now pending before the Court is Defendant Michael H. Carter's Motion to Dismiss (Doc. #76). Defendant asserts that the Indictment against him should be dismissed on grounds that 18 U.S.C. § 511 violates the due process clause in that it is void for vagueness.

On November 29, 2011, United States Magistrate Judge Robert E. Larsen issued his Report and Recommendation (Doc. #94). On December 13, 2011, Defendant filed his Objections to the Report and Recommendation of United States Magistrate (Doc. #98).

Upon careful and independent review of the pending motion, defendant's objections to the Magistrate's Report and Recommendation, as well as the applicable law, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of United States Magistrate Judge Robert E. Larsen.

Accordingly, it is hereby ORDERED that Defendant's Motion to Dismiss (Doc. #76) is OVERRULED and DENIED.

SO ORDERED.

s/ Gary A. Fenner
Gary A. Fenner, Judge
United States District Court

DATED: December 21, 2011